



Our reference: BVFOI/019/17 re Karl Lucht

Freedom of Information Act 2000 Request

You asked for the following information from the Government Legal Department (“the Department”):

“Can you please tell me where the information regarding the deceased’s place of birth comes from and if you can provide us with a scanned copy of this document by email?”

Your request will be dealt with by the Bona Vacantia Division (“the Division”) under the Freedom of Information Act 2000.

The Division holds all the information that you have requested.

I have withheld certain information from the file, the nature and origin of the document/s giving the place of birth, as it is exempt from disclosure under section 41 of the Act as the Division considers that the information was received in confidence, and that to reveal the information would constitute an actionable breach of the duty of confidence.

In considering whether disclosure would be an actionable breach of confidence the Division has considered whether there is a public interest in disclosing the information that would outweigh the public interest in keeping the information confidential.

There is a strong public interest in keeping confidential information that has been disclosed in confidence, and in this case there is no specific reason in favour of disclosure of the information. Disclosure would not protect public safety, nor would it expose wrongdoing such as misfeasance, maladministration, negligence or other iniquity on the part of the Division. In this case the Division considers that the public interest in keeping the information confidential outweighs the public interest in disclosing it.